IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.2907 OF 2005

Darshan Builder .. .. Petitioner
v/s.
1. Municipal Corporation of Gr. Mumbai & ors. .. .. Respondents

Mr.Y.M.Chaudhari for petitioner.
Mr.Girish Kulkarni i/by Mr.Satish C. Kakane for res.Nos.2,3,4,5,7 and 9 to 11.

CORAM : H.L. GOKHALE &
ABHAY S. OKA, JJ.

DATED : 23rd January 2006

P.C. :

1. Mr.Chaudhari appearing for the petitioner and Mr.Kulkarni appearing with Mr.Kakane for respondent Nos.2, 3, 4, 5, 7 and 9 to 11 seek to tender Consent Terms signed by the parties. Mr.Choudhari seeks to delete respondent No.6 who has since passed away. He also seeks to delete respondent No.8 who is the brother of respondent No.9. The premises are being allotted to respondent No.9 to which respondent No.8 has no objection. He, therefore, seeks to delete respondent No.8 also.

2. Leave to amend. Necessary amendment be carried out forthwith.

3. The Consent Terms signed by all the other respondents and the petitioner are taken on record and marked as ‘A’ for identification. It is seen from the Consent Terms that these respondents are being accommodated in the development scheme. The petitioner is expected to act accordingly. In view of these Consent Terms, no action is expected under Section 105B of the Mumbai Municipal Corporation Act, 1888. There will be order in terms of these Consent Terms.

4. Petition is disposed of in terms of the Consent Terms.

(H.L. GOKHALE, J.)

(ABHAY S. OKA, J.)